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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 10/675,096 | 09/30/2003 | David W. McKnight | 16112RRUS01U (NORT10-0034) | 4806 |
| 33000 | 7590 | 04/07/2006 | EXAMINER | |
| DOCKET CLERK P.O. DRAWER 800889 DALLAS, TX 75380 | | | RAMAKRISHNAIAH, MELUR | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2614 | |

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|---|---|--|--|
| Advisory Action Before the Filing of an Appeal Brief | Application No. 10/675,096 | Applicant(s) MCKNIGHT ET AL. | |
| | Examiner Melur Ramakrishnaiah | Art Unit 2614 | |

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 03 March 2006 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☐ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
 b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
 (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below);
 (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
 5. ☐ Applicant's reply has overcome the following rejection(s): _____.
 6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
 7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
 The status of the claim(s) is (or will be) as follows:
 Claim(s) allowed: _____.
 Claim(s) objected to: _____.
 Claim(s) rejected: _____.
 Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
 9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing of good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
 10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because:
See Attachment.
 12. ☒ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1449) Paper No(s). 8-2-04/2-4-05
 13. ☐ Other: _____.


 Melur Ramakrishnaiah
 Primary Examiner
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Response to Arguments to Final rejection

Rejection of claims 1-7, 8-14 and 15-21 under 35 U.S.C 103(a) as being obvious over Detampel, JR. et al. (US 2001/0002927A1, hereinafter Detampel) in view of Susen et al. (WO 00/14730, hereinafter Susen): regarding rejection of the claims Applicant argues that, after stating criteria for 103(a) rejection and quoting from MPEP, "The office action argues that Detampel discloses each and every element/feature of the independent claims 1, 8 and 15 with the exception of the following: allowing a second access to continue after the conference call begins based at least partially on a second pass code, wherein the second pass code may or may not be equal to the first pass code. The Office action further argues that Susen discloses a method for checking access authorization, and more specifically, "teaches the following: allowing a second access to continue after the conference call (reads on conversation taking place between users of the telephone) begins based partially on a second pass code, wherein the second pass code may or may not be equal to the first pass code (see abstract)". Based on this Office action concludes ... after the call is established to deter misuse by unauthorized others as taught by Susen". Applicant further argues that " Susen is directed to to two-way calls – not conference calls. Second, Susen appears to refer or relate to voice/speech recognition. More importantly, Applicant's claims present claims recite that access by the participant (i.e. the second access) is at least partially related to the first passcode. In Susen, It appears the voice recognition process is applied to the voice signals of the calling subscriber –not the called subscriber (or participant in a conference call, as recited in applicant's claims). Thus Susen is directed to the

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authorization (or continued authorization) of the calling or initiating subscriber, not the participant joining a conference call". Regarding this, contrary to applicant's interpretation of Susen, Susen not only teaches use of voice recognition for checking authorization during voice communication between conference call between two users but he also teaches voice signal is given in the form of a password (see abstract). Susen further teaches checking the authorization for users to continue conference call between the two telephone users by checking the authorization second time or in the middle of the conversation (see abstract). This clearly reads on applicants claim limitation such as allowing a second access to continue after the conference call begins based at least partially on a second pass code, wherein the second pass code may or may not be equal to the first pass code. Further Susen is doing similar to what applicant is doing in terms of continuing access to communication facilities based on verification of access authorization in the middle of use of communication facilities as evidenced by the Applicant's specification in paragraphs [0052-0053] and as evidenced by steps 318, 320, 322 of fig. 3. Paragraph [0052] describes the following: after a period of time has passed during the conference call, the MAS 106 re-prompts the participants to enter a pass code again at step 320. This may include, for example, the media controller 204 requesting the participants speak the pass code or use keypads on the participant's communication device 102. Paragraph [0053] describes the following: The MAS 106 accepts or rejects each participant based on that participant's response to the re-prompt at step 322. This may include, for example, the media controller 204 allowing a participant to continue participating in the conference call if the participant

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entered the correct pass code. This may also include media controller 204 terminating a connection with a participant who entered the incorrect pass code one or more multiple times. Further, paragraph [0054, lines 21-23] describes the following: In addition MAS 106 may use any suitable mechanism to receive input from participants, such as speech recognition, DTMF detection, or other mechanisms. In light of this, Susen clearly teaches claim limitation such as such as allowing a second access to continue after the conference call begins based at least partially on a second pass code, wherein the second pass code may or may not be equal to the first pass code.


Regarding dependent claims 2, 9, 14, Applicant argues that "since Detampel does not, in fact, disclose that a participant (second access) enters two pass codes: first pas code to access the conference call and second pass code (same or different from the first pass code) to continue access during the conference call that "second pass code does not equal the first pass code" as recited in the claims. As a result, Detampel fails to disclose, teach or suggest this element/feature of dependent claims 2, 9, and 16". Regarding this, as explained above, Detampel in combination with Susen teaches these limitation. For example Detampel teaches establishing conference calls using pass codes (fig. 6 and paragraphs: 0006, 0011-0027, 0052-0054, 0064, 0067-0075) and Susen teaches using voice signal for password to continuously verify users authorization to continue conference call between two telephone users (abstract). Regarding claims 3, 10, and 17, Applicant makes similar arguments as in clims 2, 9, and 16 and remarks made therein is applicable.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2614